

HOW TO PARTICIPATE EFFECTIVELY IN REVIEWING DEVELOPMENT APPLICATIONS

Montgomery County, Maryland



*Have your neighbors told you that someone is developing that property down the street?
Have you seen a sign advertising a meeting about a proposed development in your neighborhood?
Did you get a notice in the mail saying that a plan has been filed to develop the property across the street or next door?*

HERE'S HOW YOU CAN GET INVOLVED

You have the opportunity to voice your concerns and opinions. Don't miss your chance to have your say about what's going on in your community!

- **Find out what's proposed**—call the phone number on the sign or call the Planning Department.
- **Find out about the development review process**—determine the type of plan submitted, what issues will be addressed in the plan's review, and the most effective way to present your concerns.
- **Coordinate with others**—talk to your neighbors, your homeowners association, and your civic association to coordinate your responses.
- **Voice your opinion**—comment in a letter, by e-mail, or in person at the Planning Board hearing.

ADDRESS RELEVANT ISSUES

The area master plans and the *Zoning Ordinance* determine whether and how a property can be developed. For a specific project, your comments should address issues such as:

- the development's effect on adjacent properties and the neighborhood
- the adequacy of existing and planned public infrastructure to serve the proposed development (school capacity decisions are made by the County Council, not by the Planning Board)
- the development's effect on traffic, circulation, and access
- the development's environmental impacts and adherence to development regulations

CONTACT THE PLANNING DEPARTMENT

For more information about the development review process, regulations, and specific applications, including schedule, lead reviewer, case number, and public hearing date, contact:

Montgomery County Planning Department
Development **Applications and Regulatory Coordination** Division
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
<http://www.montgomeryplanning.org/development/>

Development Applications and Regulatory Coordination Division
(301) 495-2188

Information Desk
(301) 495-4610

THE PROCESS

- The Montgomery County Planning Board administers the development review process in accordance with the *Zoning Ordinance*, the recommendations in the master plan, and other applicable regulations and guidelines.
- The **applicant** submits a proposal for development. The type of plan submitted—Project Plan, Preliminary Plan of Subdivision, or Site Plan—depends on what is being proposed, how the property is zoned, and the zone’s requirements. Even before a proposal is submitted, an applicant is required to post signs on the property and hold meetings with the community to discuss the proposal.
- **Planners in the Development Applications and Regulatory Coordination Division** review the proposal and issue a staff report. Based on an analysis of the proposal’s compliance with applicable regulations and guidelines, staff may recommend approval—usually with a list of required conditions—or denial.
- Staff schedules the proposal for a Planning Board public hearing. Staff reports are posted online with the Board meeting agendas 10 days in advance of the hearing at www.MontgomeryPlanningBoard.org/agenda.
- The **Planning Board holds a public hearing** to receive testimony from staff, the applicant, and interested parties, and takes action on the proposal. The Planning Board’s decisions on Project Plans, Preliminary Plans of Subdivision, and Site Plans are binding.
- Throughout this process, the public is encouraged to evaluate the effects of a proposed development on their neighborhood and to participate in the Planning Board’s review.

THE PLANS

The process begins when an applicant files a Project Plan, a Pre-Preliminary Plan, a Preliminary Plan of Subdivision, or a Site Plan. A planner is assigned to serve as **lead reviewer** for each proposal and coordinates the review according to the *Manual of Development Review Procedures*. The lead reviewer is **the main point of contact** for questions and concerns about submitted plans and can be reached at (301) 495-2188.

A **Project Plan** is required in certain zones where an applicant is requesting additional density in exchange for additional public open space or amenities. Project plans are:

- required in Central Business Districts and areas where increased density warrants the provision of additional public facilities and amenities.
- expected to show conformance with applicable master plans
- approved, approved with conditions, or denied by the Planning Board; approval is required before the Record Plat can be filed or a building permit can be issued

A **Pre-Preliminary Plan** is an optional application to determine whether a site is suitable for a certain type and/or scale of development or whether specific elements, such as the location of a driveway, are acceptable. A pre-preliminary plan:

- contains a generalized layout of streets and lots
- may be reviewed by the Planning Board at a public hearing at the applicant's request; depending on the type of submission, the Board's decision may or may not be binding
- makes a property eligible for septic testing

A **Preliminary Plan of Subdivision** divides a tract of land into building lots, streets, and open space, and is required in all zones. It shows a proposed development's relationship to its neighbors. A preliminary plan:

- contains specific lot and street layout and includes details such as utilities and the adequacy of public infrastructure
- must conform with environmental and transportation regulations
- can be approved, approved with conditions, or denied by the Planning Board; approval is required before the lots can be recorded in the land records or a building permit can be issued

A **Site Plan** is a detailed review of building location, landscaping, lighting, and other elements of a proposed development. A site plan is:

- required in certain zones or when exceptions to regulations are requested
- approved, approved with conditions, or denied by the Planning Board; approval is required before a building permit can be issued.

THE REVIEW

The lead reviewer analyzes the application based on the requirements of the *Zoning Ordinance* and other applicable regulations and guidelines, and receives input from the Planning Department's master planning, environmental, transportation, and historic preservation staffs, other agencies, and the community.

The lead reviewer arranges for the **Development Review Committee (DRC)** to review the plan and meet with the applicant. The DRC is an interagency task force of representatives from public agencies and utilities such as WSSC, PEPCO, the State Highway Administration, and the County departments of Permitting Services, Environmental Protection, and Transportation.

To address concerns received from staff, the Development Review Committee, or the community, **an applicant will often submit a revised plan** that must be analyzed again by staff.

Individuals or community representatives are encouraged to work with staff and the applicant throughout the review process to resolve issues. You can meet with the lead reviewer to discuss relevant issues and check on the status of reviews and revisions. You can submit written or e-mailed comments to the lead reviewer at any time during the plan review process and they will become part of the official record.

HOW TO FIND OUT ABOUT DEVELOPMENT PROPOSALS

Pre-submission meeting—Anyone who wants to develop land must post signs on the site and hold pre-submission meetings. Contact information must be posted, and anyone interested can attend the meetings. The applicant also must send written notice to abutting and confronting property owners, and to homeowners associations and civic associations within a one-mile radius.

Written notice—When an application is filed, the applicant sends written notice to those who received the pre-submission notice and to others who have e-mailed or written to indicate their interest. New signs also are posted.

Development Review Committee (DRC) meeting—After a plan is filed, the applicant meets with the DRC, an interagency group consisting of Planning staff and representatives of other public agencies. The public can attend, but not speak, at DRC meetings. The schedule is posted two weeks in advance at <http://www.montgomeryplanning.org/development/>.

Public Hearing Notice—When the Planning Board public hearing is scheduled, the Planning Department notifies interested parties.

Online Agenda and Staff Reports—The Planning Board agenda is posted online ten days in advance at www.MontgomeryPlanningBoard.org/agenda, along with relevant staff reports.